

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

VERNALL A. JEFFRIES,	:	CIVIL ACTION NO. 1:09-CV-0692
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
HARLEY G. LAPPIN, et. al.,	:	
	:	
Defendants	:	

ORDER

_____AND NOW, this 6th day of May, 2009, upon consideration of plaintiff's motion for reconsideration (Doc. 15) of the order of court (Doc. 13) denying plaintiff's motion to supplement his complaint to add a new claim and a new defendant, and it appearing that plaintiff fails to set forth any of the grounds that would warrant reconsideration, North River Ins. Co. v. Cigna Reinsurance Co., 52 F.3d 1194, 1218 (3d Cir. 1995) (citations omitted) ("A proper motion to alter or amend judgment must rely on one of three major grounds: '(1) an intervening change in controlling law; (2) the availability of new evidence [not available previously]; [or], (3) the need to correct clear error [of law] or prevent manifest injustice.'"), and merely reargues matters addressed by the court and disposed of in the previous order (Doc. 133), see Waye v. First Citizen's Nat'l Bank, 846 F. Supp. 310, 314 (M.D. Pa.) ("A motion for reconsideration is not to be used to reargue matters already argued and disposed of."), aff'd, 31 F.3d 1174 (3d Cir. 1994); see also Database America, Inc. v. Bellsouth Adver. & Publ'g Corp., 825 F. Supp. 1216, 1220 (D.N.J. 1993) (citations omitted) ("A party seeking reconsideration must show more than a disagreement with the

Court's decision, and 'recapitulation of the cases and arguments considered by the court before rendering its original decision fails to carry the moving party's burden.'"), it is hereby ORDERED that plaintiff's motion for reconsideration (Doc. 30) is DENIED.¹

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹It is noted that the motion for reconsideration includes greater detail concerning the claim plaintiff is seeking to bring. It is now clear that the claim involves a new defendant and the conduct bears no relation to the conduct alleged in the present action. Therefore, to the extent that plaintiff seeks to pursue the claim against this new defendant, he may file a new action.